

FILED
9/24/21 3:17 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

THOMAS JOHN HARVEY	:	Case No. 16-10715-TPA
KIM IRENE HARVEY	:	
Debtor(s)	:	Chapter 13
	:	
RONDA J. WINNECOUR, ESQ.	:	Related to Doc No. 104
Movant(s)	:	
	:	
v.	:	
	:	
U.S. BANK TRUST NATIONAL	:	
ASSOCIATION	:	
Respondent(s)	:	

ORDER APPROVING NOTICE OF FINAL CURE PAYMENT

AND NOW, this 24th day of *September, 2021*, the Chapter 13 Trustee having filed a *Notice of Final Cure Payment* at Doc. 104 (“Notice”) directed to U.S. Bank Trust National Association (“Creditor”) pursuant to *Fed.R.Bankr.P. 3002.1(f)* indicating that the amount required to cure the prepetition default in the claim has been paid in full through the plan and that postpetition payments are current, and Creditor having either filed a response to the *Notice* indicating its agreement therewith, or failed to respond within 21 days as required by *Fed.R.Bankr.P. 3002.1(g)*, it is therefore **ORDERED, ADJUDGED** and **DECREED** that,

(1) The Debtors by payments made to the Chapter 13 Trustee under the Plan has made all payments due during the pendency of this case through the date set forth in the *Notice*,

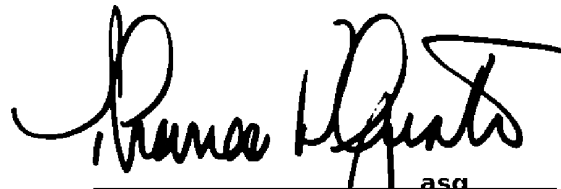
including all monthly payments and any other charges or amounts due under the mortgage with Creditor.

(2) The Debtors is found to have cured any mortgage arrearage or default in the mortgage with Creditor existing on the date this case was filed and the Trustee's *Notice of Final Cure Payment* is **APPROVED**.

(3) Creditor is prohibited and enjoined from disputing that the Debtor(s) is current on the mortgage, as set forth herein, in any other proceeding.

(4) Creditor is further prohibited and enjoined from the commencement or continuation of any action, the employment of any process, the making of any statement, or the taking of any action to collect, recover, offset, represent or assert that Debtor(s) has any debt or obligation contrary to the provisions of the *Notice* and of this Order.

(5) Any violation of this Order by Creditor may lead to a finding of contempt and the imposition of sanctions.



Thomas P. Agresti, Judge
United States Bankruptcy Court

In re:
Thomas John Harvey
Kim Irene Harvey
Debtors

Case No. 16-10715-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Sep 24, 2021

User: bsil
Form ID: pdf900

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 26, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Thomas John Harvey, Kim Irene Harvey, 7749 Mill Road, Conneaut Lake, PA 16316-6539
	+ Richard Postiglione, Friedman Vartolo LLP, 1325 Franklin Avenue, Suite 160, Garden City, NY 11530-1631

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 26, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 24, 2021 at the address(es) listed below:

Name	Email Address
Bradley Joseph Osborne	on behalf of Creditor LSF9 Master Participation Trust bosborne@hoflawgroup.com pfranz@hoflawgroup.com
Brian Nicholas	on behalf of Creditor Legacy Mortgage Asset Trust 2019-GS3 bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for Legacy Mortgage Asset Trust 2019-GS3 bnicholas@kmlawgroup.com
Celine P. DerKrikorian	on behalf of Creditor LSF9 Master Participation Trust ecfmil@mwc-law.com
Daniel P. Foster	

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on behalf of Joint Debtor Kim Irene Harvey dan@mrdebtbuster.com
katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com

Daniel P. Foster

on behalf of Debtor Thomas John Harvey dan@mrdebtbuster.com
katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com

Joseph A. Dessoye

on behalf of Creditor LSF9 Master Participation Trust pawb@fedphe.com

Kevin M Buttery

on behalf of Creditor MTGLQ Investors L.P kbuttery@rascrane.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Richard M. Squire

on behalf of Creditor LSF9 Master Participation Trust lcolwell@squirelaw.com kdiskin@squirelaw.com

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

TOTAL: 11